

CORRECTED FISCAL NOTE

SB 2669 - HB 2618

March 4, 2008

SUMMARY OF BILL: Prohibits reading or sending text messages with a mobile phone or a personal digital assistant while operating a motor vehicle. Creates a Class C misdemeanor punishable by fine not to exceed \$50 and court costs not to exceed \$10.

ESTIMATED FISCAL IMPACT:

On January 17, 2008, we issued a fiscal note for this bill indicating an increase to state revenue of \$148,000 per year, an increase to local government revenue of \$8,000 per year, and increases to state and local expenditures estimated to be not significant. This fiscal note is being corrected to reflect an estimated level of indigence that was not captured on the original fiscal note.

(CORRECTED)

Increase State Revenue – \$111,100

Increase State Expenditures – Not Significant

Increase Local Revenue – \$5,900

Increase Local Expenditures – Not Significant

Assumptions:

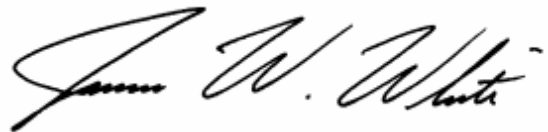
- “Mobile telephone” means a cellular, analog, wireless or digital device that provides for voice communication and for data communication other than by voice.
- “Personal digital assistant” means a wireless electronic communication device that provides for data communication other than by voice.
- The state receives the fines and the county clerks receive a 5% commission in accordance with T.C.A. 55-10-303.
- According to the Department of Safety, there are approximately 4,333,000 licensed drivers in Tennessee.
- 60% of all licensed drivers (approximately 2,600,000) are estimated to own hand-held mobile telephones.

SB 2669 - HB 2618
CORRECTED

- 50% of hand-held mobile phones owned by licensed drivers in Tennessee are text capable (1,300,000).
- 10% of licensed drivers with text capable mobile phones regularly utilize text features (130,000).
- 3% of licensed drivers with text capable mobile phones who regularly utilize text features would be cited for sending or receiving text messages while driving in any given year (3,900 citations).
- The average citation plus court costs is estimated to be \$40 per violation.
- 25 percent will not pay fines due to indigence.
- Total citation revenue is estimated to be \$117,000 (3,900 citations x \$40 x 75% = \$117,000) per year.
- The increase to local government revenue is estimated to be \$5,900 (\$117,000 x 5% = \$5,850) per year.
- The increase to state revenue is estimated to be \$111,100 (\$117,000 - \$5,900 local share = \$111,100) per year.
- The increase to state and local government expenditures is estimated to be not significant.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

/rnc